



**US Army Corps  
of Engineers®**

Nashville District

# Public Notice

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Public Notice No. **04-17**

Date: March 17, 2004

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Application No. **990014960**

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Please address all comments to:  
Nashville District Corps of Engineers, Regulatory Branch  
3701 Bell Road, Nashville, TN 37214

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**JOINT PUBLIC NOTICE**  
**US ARMY CORPS OF ENGINEERS**  
**TENNESSEE VALLEY AUTHORITY**  
**AND**  
**STATE OF ALABAMA**

SUBJECT: Proposed Dredging and Excavation, Retaining Wall, and Floating and Fixed Docks for Decatur Harbor for Riverboat Moorage and Boat Launching Facilities at Tennessee River Mile 303.9L, Wheeler Lake, Morgan County, Alabama

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (CWA)** for the discharge of fill material into waters of the United States, and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**. Before a permit can be issued, certification must be provided by the state of Alabama, pursuant to **Section 401(1)(1) of the CWA**, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: City of Decatur  
402 Lee Street  
Decatur, Alabama 35601

LOCATION: Tennessee River Mile 303.9L, Wheeler Lake, Morgan County, Alabama (Decatur Quad; lat 34-37-20.1000, lon 86-59-41.7480)

DESCRIPTION: The proposed work consists of the following for the construction of the Decatur Harbor for riverboat moorage and boat launching facilities:

1 - Dredging of approximately 180,137 square feet of riverbottom for the riverboat moorage. The riverbottom would be dredged from existing Elevation 548.0' to bottom elevation 540.0', which is 10' below the normal winter pool (NWP) Elevation 550.0' for Wheeler Lake.

2- Excavation of approximately 19,863 square feet of upland area to allow for the riverboat moorage. This area would also be excavated down to Elevation 540.0'.

3 - Excavation of approximately 239,000 square feet of the slough/harbor area to allow for adequate water depth in the boat launching area. The slough/harbor area would be excavated down to Elevation 544.0', which would allow 4' of water depth during NWP. This area would be excavated in the dry with the placement of cofferdams at the mouth of the slough.

4 - Excavation of upland section of land that connects the slough/harbor area to an existing adjacent pond. The excavation would involve removing approximately 25,997 square feet of upland, that would be used in the boat launching ramp and boat moorage area.

5 - Construction of 2,500' of retaining wall with a riprap toe around the slough/harbor area for bank stabilization.

6 - Construction of a 5' wide floating dock around the perimeter of the slough/harbor area for boat dockage and public access, approximately 2,700'.

7 - Construction of a fixed and floating dock, 120' by 50', at the riverboat docking area for passenger loading/unloading. A harbor point fixed dock would be constructed which would extend 50' lakeward for public access.

8 - Construction of a boat launching ramp, approximately 140' wide by 100' long, for public boat launching.

The purpose of the proposed work is to provide public boat launching facilities, facilities for fishing tournaments, and moorage for a riverboat.

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess

impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

Water Quality Certification from the state of Alabama, Department of Environmental Management (ADEM), is required for the proposed work in accordance with Section 401(a)(1) of the Clean Water Act.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

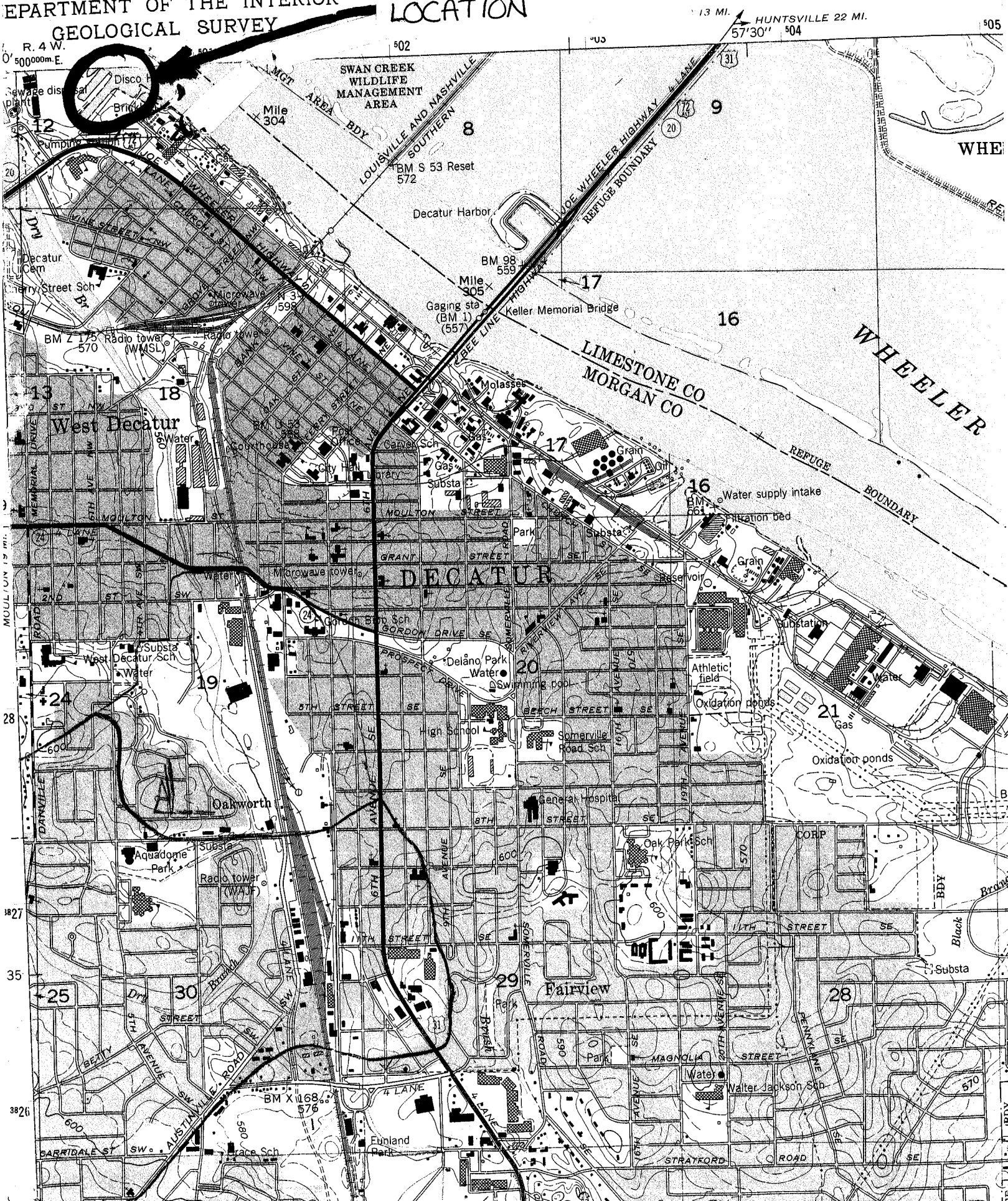
Written statements received in this office on or before April 16, 2004, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on

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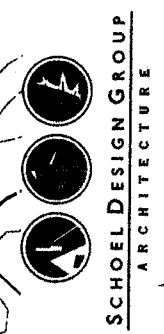
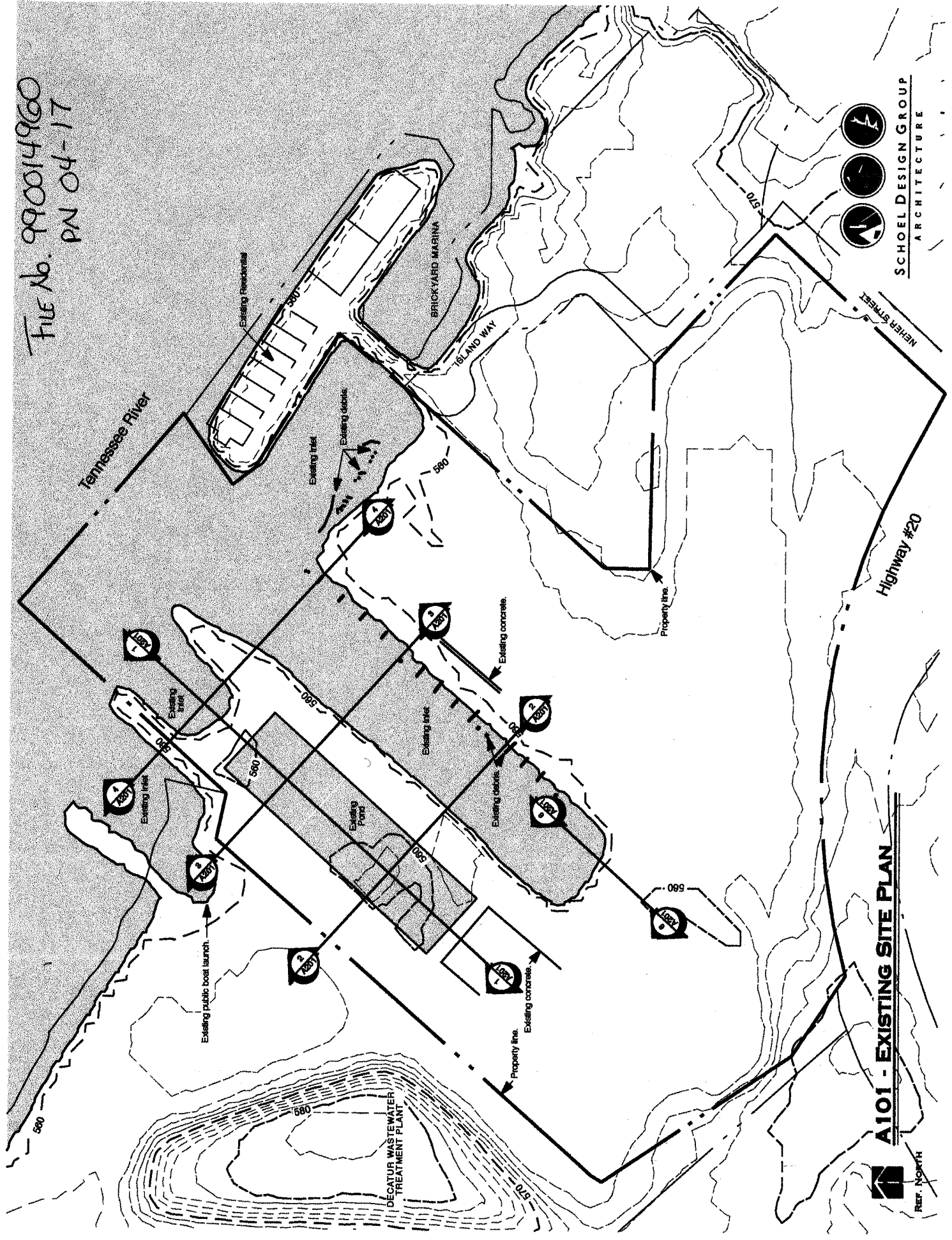
File No. 990014960

the proposal. However, if comments are sent to TVA, they should be mailed to Mr. Tim Gilbert, Tennessee Valley Authority, Wheeler Land Management Office, P.O. Box 1010, Muscle Shoals, Alabama 35662-1010. If comments are sent to ADEM, they should be mailed to Mr. Mitt Walker, P.O. Box 30143, Montgomery, Alabama 36130-1463.

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**A101 - EXISTING SITE PLAN**





PM 04-17



REV. NORTH

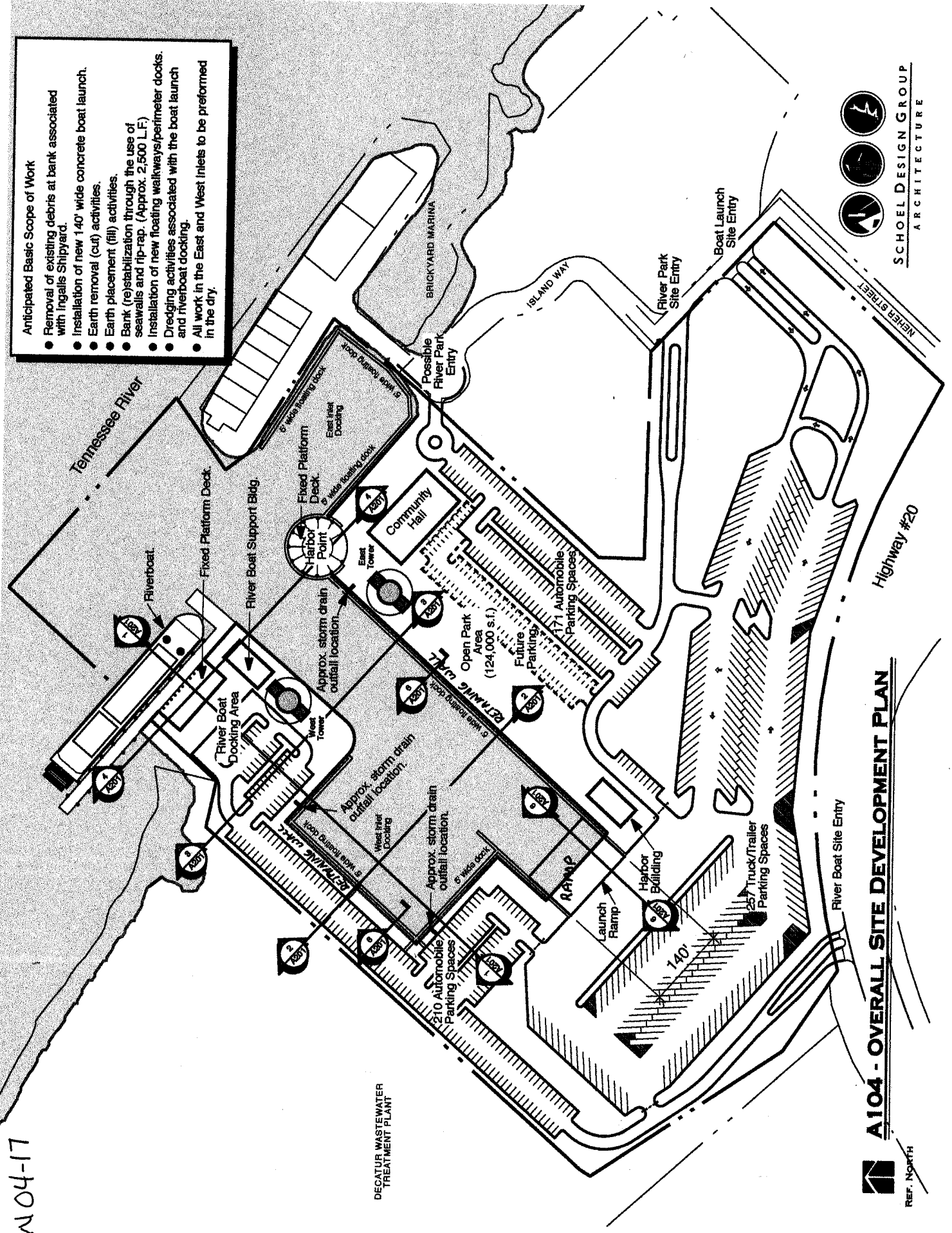
## **A103 - CUT / FILL / SHORELINE IMPROVEMENT PLAN**

Highway #20

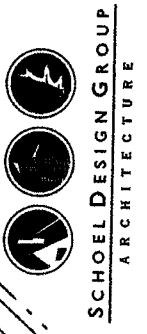
**SCHOEL DESIGN GROUP**  
ARCHITECTURE

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- Anticipated Basic Scope of Work**
- Removal of existing debris at bank associated with Ingalls Shipyard.
  - Installation of new 140' wide concrete boat launch.
  - Earth removal (cut) activities.
  - Earth placement (fill) activities.
  - Bank (re)stabilization through the use of seawalls and rip-rap. (Approx. 2,500 L.F.)
  - Installation of new floating walkways/perimeter docks.
  - Dredging activities associated with the boat launch and riverboat docking.
  - All work in the East and West Inlets to be performed in the dry.

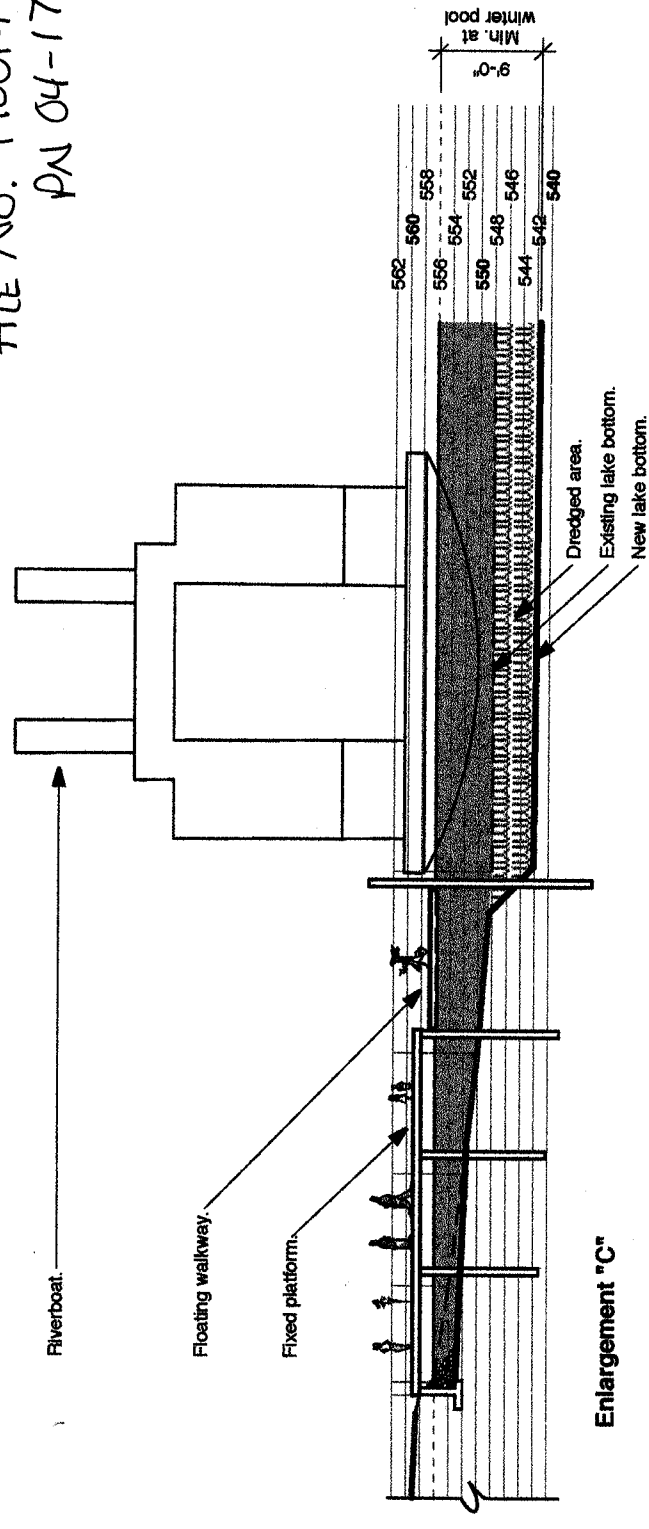


**A104 - OVERALL SITE DEVELOPMENT PLAN**

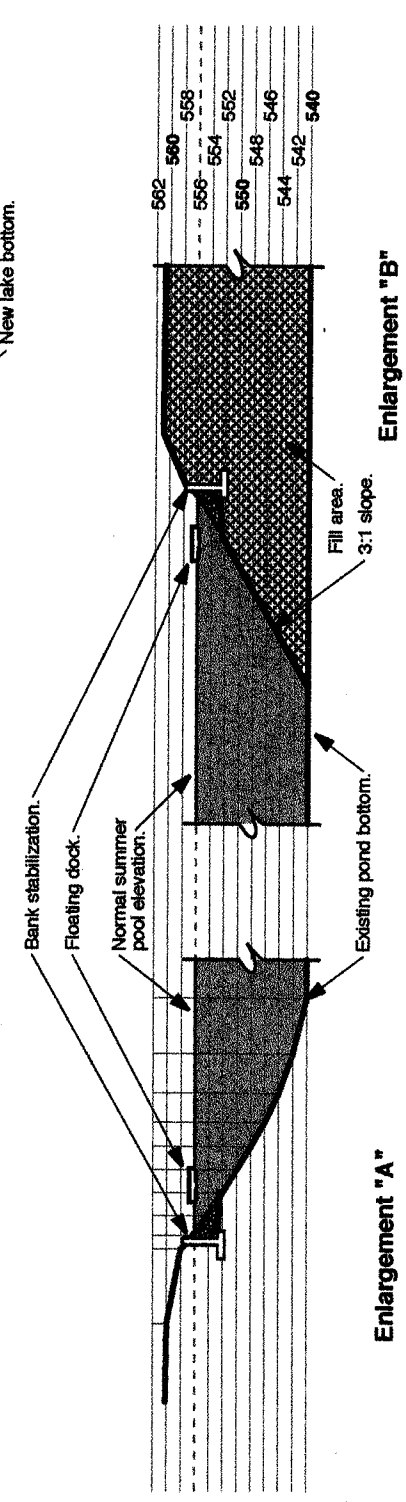




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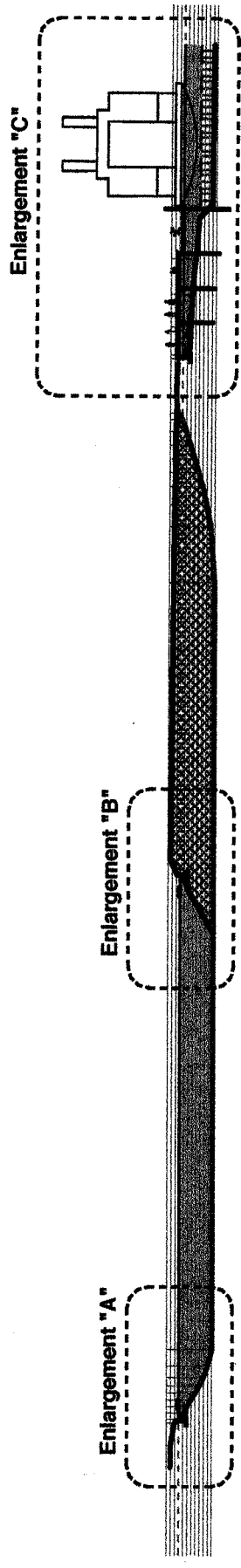


Enlargement "C"



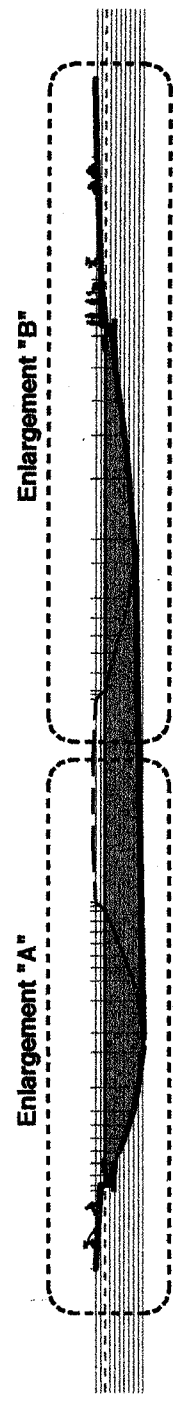
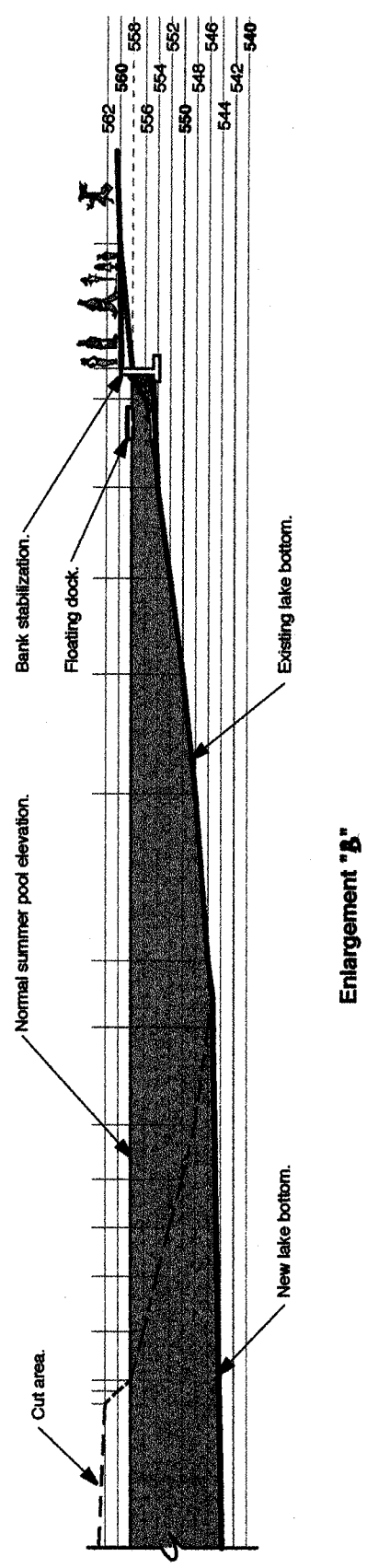
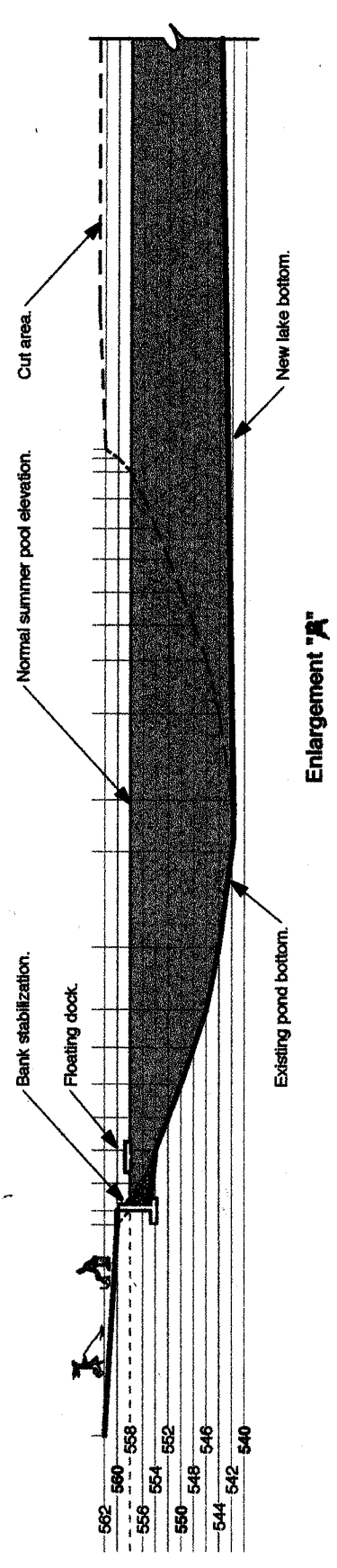
Enlargement "A"

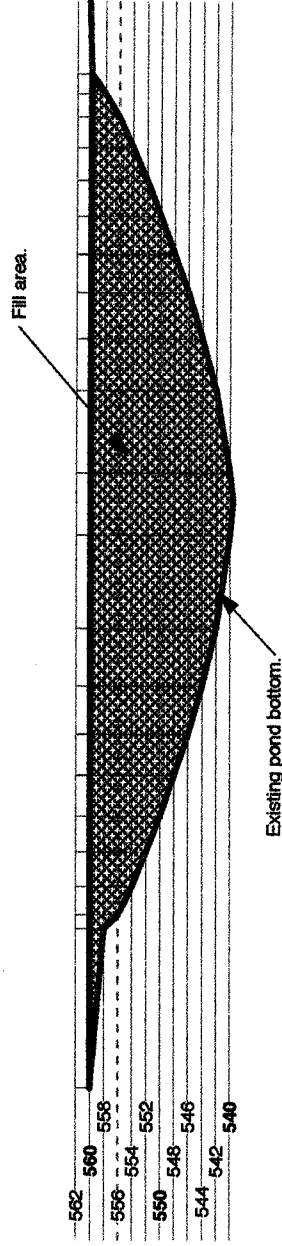
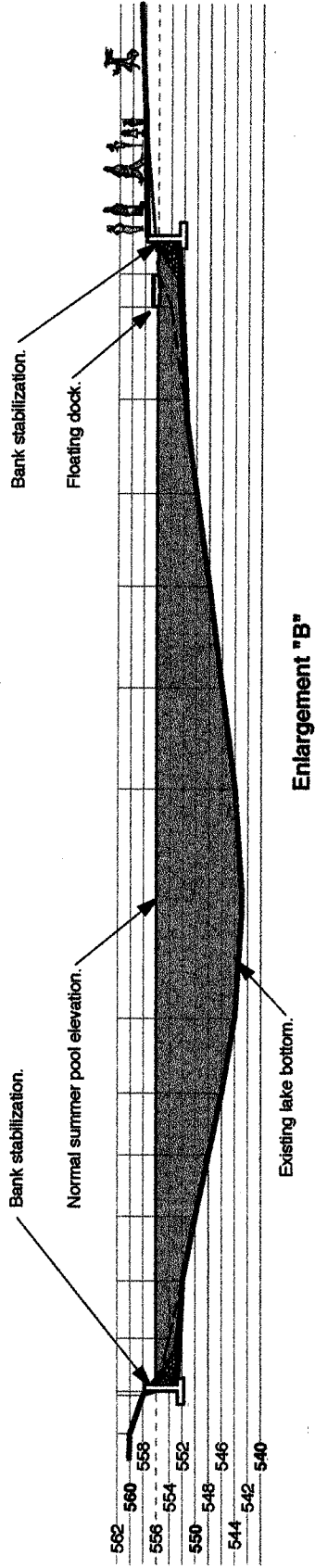
Enlargement "B"



1/A201 - SITE SECTION

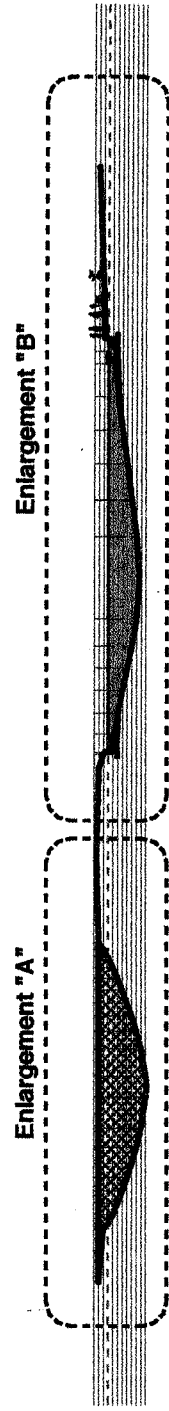
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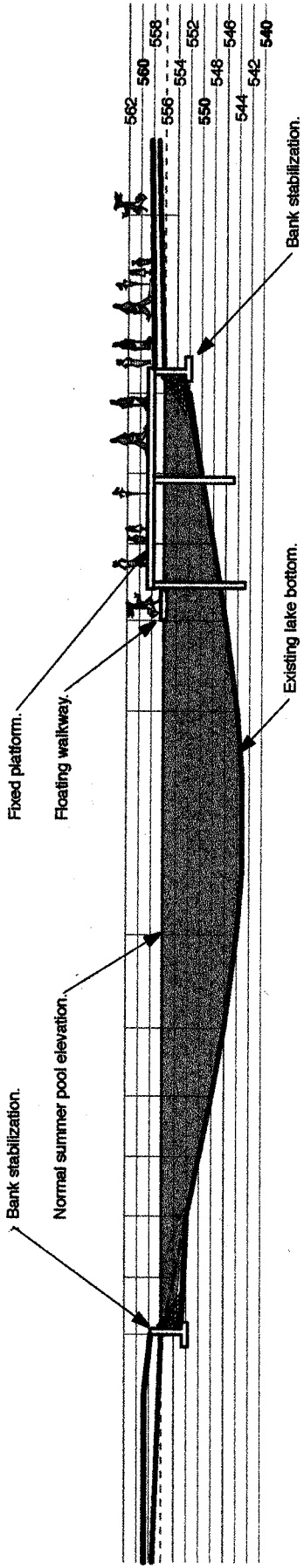
Enlargement "A"

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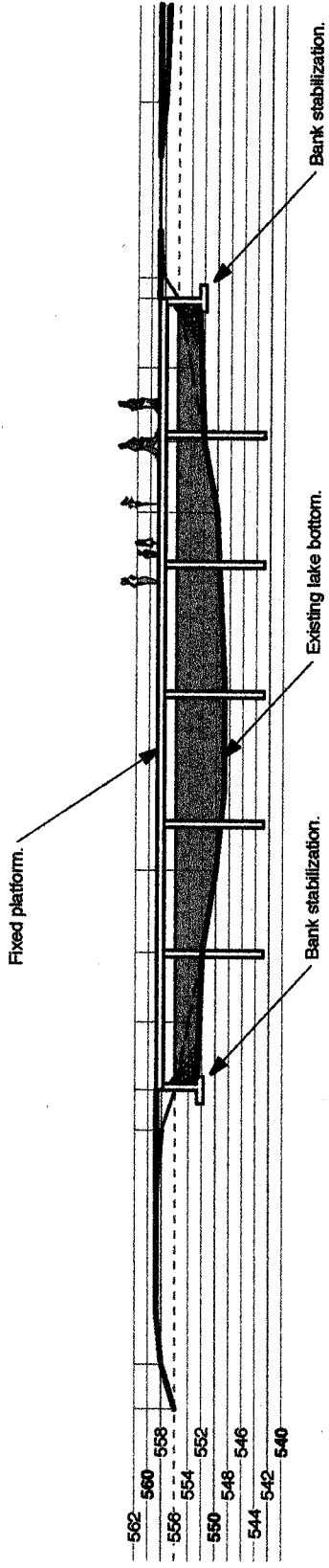


3/A201 - SITE SECTION

Overall Section

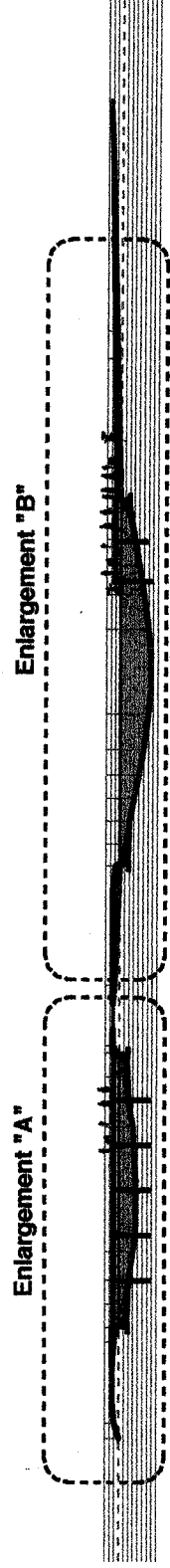


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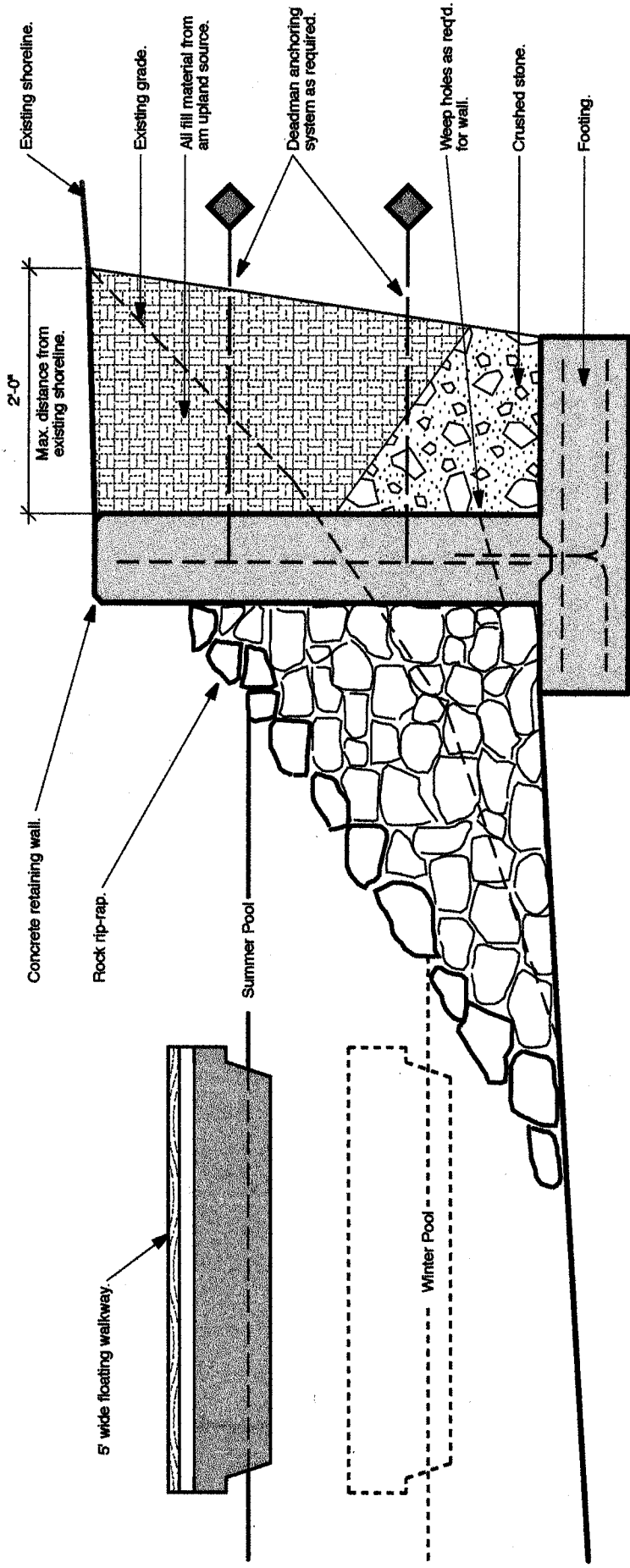


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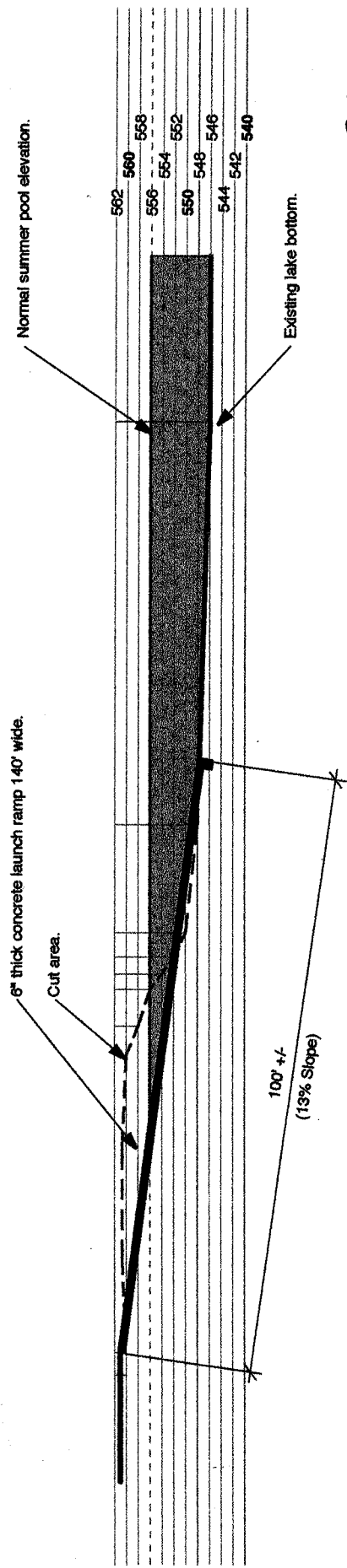
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(Approximately 2,500 lineal feet of wall required)



**6/A201 - TYP. SECTION AT SHORELINE RETAINING WALL**



**5/A201 - SITE SECTION**

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